

*Township of Raritan, NJ
Tuesday, November 12, 2019*

Chapter 16.28B. I-2 Major Industrial Zone

§ 16.28B.010. Purpose.

[Prior code § 15-9.15(a); amended by Ord. 02-9; Ord. 08-3]

It is the purpose of this zone to provide areas suitable to the use of industry and related uses with controls necessary to ensure sound industrial development and when said uses can be adequately serviced by the sanitary sewer system.

Within this zone, no lot, structure or accessory structures shall be used in whole or in part unless it complies with Schedule I and II set out in the Appendix following this Title, other applicable sections of this Title and the following regulations.

§ 16.28B.020. Principal Permitted Uses.

[Prior code § 15-9.15(b); amended by Ord. 06-31; Ord. 08-3]

- A. Those uses permitted in the I-1 zone;
- B. Warehousing, wholesale and distribution facilities;
- C. Trucking terminals;
- D. Public parks and public recreational facilities and uses;
- E. Hotels and motels;
- F. Child care centers.
- G. Solar or photovoltaic energy facility.
[Amended by Ord. 12-5]

§ 16.28B.030. Permitted Accessory Uses.

[Prior code § 15-9.15(c); amended by Ord. 08-3]

- A. Off-street parking, loading and unloading;
- B. Signs and fences;
- C. Facilities required for employees and visitors, such as cafeterias, recreational and medical facilities;
- D. Screened and fenced outdoor storage areas;
- E. Other uses and structures customarily incidental to a principal permitted use;

- F. Retail and wholesale sales of goods manufactured or produced on site, provided that the sales area does not exceed 15% of the gross manufacturing floor area.

§ 16.28B.040. Conditional Uses.

[Prior code § 15-9.15(d); amended by Ord. 08-3]

- A. Public and private schools and day nurseries;
- B. Public uses;
- C. Essential services;
- D. Farm stands;
- E. Clubs, lodges and fraternal organizations;
- F. Animal hospitals and kennels;
- G. Helistops;
- H. Nursing homes;
- I. Assisted living facilities.
[Amended by Ord. 10-7]

§ 16.28B.050. Buffer Strips.

[Prior code § 15-9.15(e); amended by Ord. 08-3]

All lots or parts of lots which are improved with a predominantly nonresidential use and whose side or rear lines are adjacent to a residential zone shall be screened from such residential zone by landscaped buffer strips or other such screening along said side or rear lines as may be approved by the Planning Board in accordance with Section 16.74.120.

§ 16.28B.060. Solar or Photovoltaic Standards.

[Amended by Ord. 12-5]

- A. Standards.
 - 1. The following bulk requirements shall apply to solar or photovoltaic energy facilities where they are permitted uses.
 - a. Minimum lot size shall be 20 contiguous acres.
 - b. No more than 50% of the lot shall be covered by the renewable solar or photovoltaic energy facility.
 - c. The following setbacks shall apply to ground mounted systems:
 - i. Front yard: 100 feet.
 - ii. Side yard: 100 feet, or not less than 200 feet where a lot abuts a residential district or use.

- iii. Rear yard: 75 feet, or not less than 150 feet where a lot abuts a residential district or use.
- d. Maximum height of arrays and inverters: 10 feet.
- e. Substations shall be setback a minimum of 150 feet from a property line. Any noise generated from the site must meet state noise requirements (less than 65 dB at the property lines) in compliance with the New Jersey Department of Environmental Protection Noise Code. An acoustical test shall be performed by a qualified acoustical engineer to verify that there are no negative acoustical impacts along any of the property lines and the test results shall be submitted for review and approval by the Township Engineer prior to the issuance of a Certificate of Occupancy.
- f. The applicant shall demonstrate, to the satisfaction of the approving Board, that the proposed screening at the time of planting provides a year-round visual screen of the facility from residential neighboring properties. Additional screening may be needed to meet this requirement and also address any negative impact seen from the first and second floor from residential neighboring properties or the design and location of the solar or photovoltaic energy facility shall be revised to mitigate the visual impact upon the neighboring residential properties. If construction occurs during a non-planting season, the applicant shall demonstrate sufficient buffering exists for both the array field and construction staging area. At the discretion of the Board, a temporary screening may be required during construction to help mitigate any negative visual impact.
- g. Neighboring residential properties shall be defined for this purpose as those properties within 200 feet from the property line of the subject site.
- h. The proposal shall comply with the Landscape Buffer Requirements in Section 16.20.040 of this Title 16, with the following exceptions:
 - i. Solar or photovoltaic energy facilities shall be considered an industrial use.
 - ii. Where the solar or photovoltaic energy facilities abut a residential use or district, the buffer requirements and depths as set forth in Table I and II in Section 16.20.040.E shall be doubled.
 - iii. Where the solar or photovoltaic energy facilities abut a public uses or zone, there is a minimum buffer requirement of 100 feet.
- i. Substations and other associated transmission structures shall be screened with a double row of evergreen plantings with a minimum height of eight feet.
- j. Existing hedgerows or vegetated windbreaks that provide screening of the subject site from neighboring properties shall be retained and augmented unless waived by the approving Board. Wooded areas may not be clear cut to construct or install the solar or photovoltaic energy facility.
- k. All landscaping, as installed, shall conform to and be in accordance with the plan approved and/or signed by the Board. The use of native landscape species is strongly encouraged. Prior to the issuance of a permanent Certificate of Occupancy, Completion or Compliance (whichever is applicable) and prior to the release of any performance guarantee, the landscaping shall be installed and a two year maintenance guarantee in the form approved by the Department of Community Affairs for bonds and in an amount acceptable to the Board landscape architectural expert, shall be posted with the Township. If the applicant applies for a Certificate of Occupancy during a non-planting season, the applicant may obtain a temporary Certificate of Occupancy without installation of the landscaping but if and only if the applicant posts a performance guarantee in the form approved by the Department of Community Affairs for bonds and in

an amount acceptable to the Township Engineer guaranteeing installation of the landscaping during the next planting season and further guaranteeing the subsequent posting of a two year maintenance guarantee. The applicant shall have a continuing obligation to maintain all landscaping for its intended purpose (i.e., for screening if planted for buffering purposes or for aesthetics if planted for enhancement purposes), which shall include but not be limited to repairing and/or replanting to the satisfaction of the Township Planning/Engineering Department any and all landscaping that becomes damaged and/or dies. (This continuing maintenance obligation is in addition to, and notwithstanding, the fact that a maintenance guarantee may or may not be required in any particular application.) In the event that Township Zoning Officer determines that utilization of an outside expert (e.g. Board landscape architectural expert) is necessary to fulfill the intent of this section, all costs and expenses of such outside experts shall be reimbursed to the Township by the applicant.

- I. Applicant shall submit an affidavit agreeing that any approval for the solar or photovoltaic energy facility shall be subject to site plan approval for any necessary new substations or modifications to existing substations.